

Remarks

Reconsideration is requested.

The Examiner has objected to claims 9 and 20 as lacking antecedent basis.

Claims 9 and 19-20 have been amended to obviate the rejection

Claims 1-3, 5-7, 10-12 and 14-16 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,327,047 to Motamed.

Claim 1 has been amended to use clearer language to describe the various sides and surfaces.

Claim 1, as amended, recites a scanner comprising a window; a housing, the housing including an inside, an outside, a first side supporting the window, having an inside surface and having an outside surface, and a second side having an inside surface opposite the inside surface of the first side and having an outside surface; a scanning array movable in the housing relative to the window along a scanning path, the scanning array generally facing the inside surface of the first side; and a calibration target supported inside the housing within the scanning path, on the inside surface of the first side and spaced apart from the window, the calibration target generally facing the inside surface of the second side, in operation.

Motamed fails to teach or suggest a calibration target on the inside surface of the first side and spaced apart from the window, in combination with the other features of claim 1. Motamed instead discloses that a user attaches a target to an inside surface of a scanner glass, an outside surface of a scanner glass, or to an inside of a scanner cover (col. 3, lines 1-3). An advantage of the design of Applicant's claim 1 is that a user does not have to understand or be concerned with the concept of calibration, and would not even see a calibration target. A user would not need to be concerned with where exactly to place a target or with taking apart the scanner to be able to put a target on an inside surface of a scanner window.

A further advantage of the invention defined by Applicant's claim 1 is that the entire window area can be used for scanning--no area is taken up by a calibration target. The only embodiment of Motamed in which this is the case is the embodiment in which the target is attached to the inside of a scanner cover, in which case a user is again exposed to a calibration target and may wonder about the purpose of the target or even wonder whether the scanner is of low quality since

some sort of adjustment process is required.

Motamed does not teach or suggest a calibration target spaced apart from the window. Because Motamed discloses having a user attach a target, the scanner is probably not designed to scan outside the normal window area. Therefore, it would not be obvious to modify Motamed so as to place targets in locations spaced apart from the window.

Therefore, claim 1 is allowable.

As claims 3-9 depend on claim 1, they too are allowable.

Claim 10, as amended, recites a method of manufacturing a scanner, the method comprising providing a scanner including a window; a housing, the housing including an inside, an outside, a first side supporting the window, having an inside surface and having an outside surface, and a second side having an inside surface opposite the first side and having an outside surface; a scanning array movable in the housing relative to the window along a path, the scanning array facing the inside surface of the first side; and a light source movable with the scanning array and facing the first side in operation; and permanently providing a calibration target inside the housing, on the inside surface of the first side, within the scanning path, the calibration target facing the second side, prior to delivery to an end user.

Motamed fails to teach or suggest permanently providing, prior to delivery to an end user, a calibration target inside the housing, on the inside surface of the first side, in combination with the other limitations of claim 10. Instead, Motamed discloses that a user attaches the target. Motamed also discloses use of weak adhesives or static attraction that can be peeled off by a user (Col. 5, lines 12-23).

Therefore, claim 10 is allowable.

As claims 12-18 depend on claim 10, they too are allowable.

Claim 19 recites a multifunction device comprising a housing having a first side and a second side opposite the first side; a monochrome printer supported in the housing; and a color flatbed scanner supported in the housing, the scanner including a sub-housing having an inside, an outside, a top side having an inside surface and an outside surface, and a bottom side opposite the top side and having an inside surface and an outside surface, the scanner including a window, supported by the top side of the sub-housing, a scanning array movable in the sub-housing relative to the window along a scanning path, the scanning array generally facing the inside surface of the top side so as to be able to scan the window, first, second, and

third color calibration targets supported inside the housing, attached to the inside surface of the top side, spaced apart from the window, within the scanning path, the calibration targets facing the inside surface of the bottom side, a motor configured to move the scanning array along the scanning path, a power switch, coupled to the scanning array and the motor, for turning the scanner on and off, and logic circuitry coupled to the power switch, the scanning array, and the motor, and configured to effect movement of the scanning array to scan the calibration targets in response to the scanner being turned on.

Motamed fails to teach or suggest a multifunction device having a monochrome printer and a color scanner, in combination with the other limitations of claim 19. While Motamed may show "multi-function scanner/printer controller engine" in Fig. 6B, this is clearly coupled to a separate printer and scanner. The term multifunction device is not used in Motamed.

Therefore, claim 19 is allowable.

As claim 20 depends on claim 19, it too is allowable.

Claims 8, 9, 17 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,324,047 to Motamed, in view U.S. Patent No. 5,404,232 to Selby. This rejection is respectfully traversed. It would not be obvious to combine Selby with Motamed because there is no teaching in the references which would suggest their combination. It would not be obvious to substitute a portion of the structure of Selby for a portion of the structure of Motamed because there is no teaching in the references themselves of how the components should be combined or of which components of Selby should be combined with which components of Motamed. There are no teachings in the references themselves which teach that there would be any advantage resulting from selecting portions of the structure of Selby and integrating that structure somehow into the structure of Motamed. The mere fact that the structures of the references could possibly be somehow modified to result in the claimed structure does not render the claimed structure obvious unless the references themselves suggest the desirability of the modification.

Further, the proposed combination would defeat a purpose of Motamed. Motamed specifically teaches that it would be advantageous for an automatic scanner calibration method and apparatus to provide a means by which a user can calibrate the scanner during a normal scan of an object. An automatic scanner

calibration method and apparatus providing the means to calibrate the scanner during a normal scan of an object have the potential to be more accurate than older in time calibrations and more accurate than a scanner set to the preset default settings provided by the manufacturer. For example, it is well known in the art that a scanner can have a warm up time of about twenty minutes before reaching a steady output value. A user may desire to scan an image prior to a scanner reaching the steady output value. (Col. 2, lines 51-62)

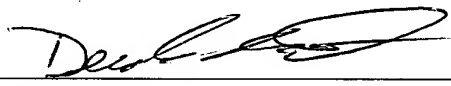
Therefore, it would not be obvious to combine Selby with Motamed. Claims 8, 9, 17 and 18 therefore present additional patentable subject matter.

In view of the foregoing, allowance of claims 1, 3-10, and 12-20 is requested.

The Examiner is requested to phone the undersigned in the event that the next Office Action is one other than a Notice of Allowance. The undersigned is available for telephone consultation at any time.

Respectfully submitted,

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